

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADNAND RATHOD, *et al.*,

Plaintiffs,

v.

PROVIDENCE HEALTH & SERVICES, *et al.*,

Defendants.

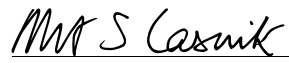
CASE NO. C20-0394RSL

ORDER DENYING PLAINTIFFS'
MOTION FOR REMAND

This matter comes before the Court on plaintiffs' "Motion to Remand." Dkt # 7. Having reviewed the submissions of the parties, the motion is DENIED. The Attorney General has certified that, at all times relevant to this action, Amy Rodriguez, M.D., was an employee of Community Health Center of Snohomish County, a grantee under the Federally Supported Health Centers Assistance Act, 42 U.S.C. § 233, and was acting within the scope of her employment. Thus, Dr. Rodriguez was an employee of the United States for purposes of the Federal Tort Claims Act. The fact that plaintiffs have alleged otherwise is not controlling: the certification conclusively establishes federal jurisdiction, and the case may not be remanded.¹

¹ If plaintiffs intend to challenge the factual accuracy of the scope of employment certification, they may do so in the course of this litigation. *Osborn v. Haley*, 549 U.S. 225, 242 (2007).

1 Dated this 18th day of May, 2020.

2 

3 Robert S. Lasnik

4 United States District Judge